

REMARKS

Claims 1, 3-7, 9-19, 21-27, 29-34, 36-41, and 43-53 are pending in the present application. In the above amendments and claims 1, 17, 34, and 47 have been amended. Claims 9, 33, and 46 have been cancelled. No new claims have been added. Therefore, after entry of the above amendments, claims 1, 3-7, 10-19, 21-23, 25-28, 29-32, 34, 36-41, 43-45, and 47-53 will be pending in this application. Applicants believe that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

I. REJECTION UNDER 35 U.S.C. § 112

Applicants submit that the term “satellite link” rejected in claims 4, 23, 37, and 47-50 was part of the original disclosure as filed. Specifically, original claims 24 and 37 contained this disclosure. Applicants submit that the original claims as filed are part of the written disclosure, and therefore, applicants have amended the specification, paragraph [0023] in order to overcome the rejection under 35 U.S.C. § 112.

II. REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 5-7, 9-11, 13-19, 21, 25-27, 29-34, 38-41, 43, and 45-50 as being unpatentable over Kim, U.S. Patent Publication No. 2003/0078061 (hereinafter “Kim”). Applicants have amended the claims to overcome this rejection.

The Office action asserts that Kim discloses a method and apparatus as per claims 1, 5-7, 9-11, 13-19, 21, 25-27, 29-34, 38-41, 43, and 45-50. However, Applicants submit that Kim does not disclose “...wherein services are ordered over the bidirectional link” as Claim 1 now recites.

Kim does not describe services being ordered over the bi-directional control channel (SSCH). Kim describes “the SSCH channel is a dedicated channel for signaling to a specified authorized subscriber only, usable for the purposes, for example, of calling, channel connection, protocol agreement, information transfer, and/or channel release” [0033]. Kim describes “the most important feature in this commercial broadcasting service is that it needs to control private unauthorized mobile subscribers to inhibit them from watching the associated broadcasting service at a specified timing point” [0042]. Kim describes allowing a subset of subscribers to view the broadcast, through the use of a key. Kim is mute about ordering services.

Thus, Kim does not teach or disclose all of the limitations of Claim 1 and the identical invention is not contained in the disclosure. For at least this reason Claim 1 is patentable. Claims 17, 34, and 47 contain similar limitations as to Claim 1, and for at least the same reasons as stated for Claim 1, Claims 17, 34, and 47 are patentable.

Claims 5-7, 10-11, 13-16 and 51 depend from independent Claim 1, and are patentable for at least the same reasons as stated with respect to Claim 1 and other novel features contained therein.

Claims 18-19, 21, 25-27, 29-32, and 52 depend from independent Claim 17, and are patentable for at least the same reasons as stated with respect to Claim 17 and other novel features contained therein.

Claims 38-41, 43, 45-45 and 53 depend from independent Claim 34, and are patentable for at least the same reasons as stated with respect to Claim 34 and other novel features contained therein.

Claims 48-50 depend from independent Claim 47, and are patentable for at least the same reasons as stated with respect to Claim 47 and other novel features contained therein.

Therefore, for at least the foregoing reasons, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. §102.

III. REJECTIONS UNDER 35 U.S.C. § 103

A. Claims 3, 22, and 36 are rejected as being unpatentable over Kim in view of Lopez et al. U.S. Patent Publication No. 200/0157693 (hereinafter “Lopez”). The rejection is respectfully traversed.

As stated with respect to Claim 1, Kim does not teach or disclose all of the limitations of Claim 1.

Lopez is mute as to services ordered over a bidirectional link. Lopez describes the first and second channels being assigned according to respective class of services (COS) requirements.

Neither Kim, nor Lopez independently or combined teach or disclose all of the limitations of Claim 1. Therefore Claim 1 is patentable.

Claims 17 and 34 contain similar limitations as to Claim 1, and for at least the same reasons as stated for Claim 1, Claims 17 and 34 are patentable.

Claim 3 depends from independent Claim 1, and is patentable for at least the same reasons as stated with respect to Claim 1 and other novel features contained therein.

Claim 22 depends from independent Claim 17, and is patentable for at least the same reasons as stated with respect to Claim 17 and other novel features contained therein.

Claim 36 depends from independent Claim 34, and is patentable for at least the same reasons as stated with respect to Claim 34 and other novel features contained therein.

B. Claims 12, 31, and 44 are rejected as being unpatentable over Kim in view of McGarrah et al. US 2003/0026424 (hereinafter “McGarrah”), and in further view of McClellan, U.S. Patent Publication No. 2004/008794 (hereinafter “McClellan”). The rejection is respectfully traversed.

As stated with respect to Claim 1, Kim does not teach or disclose all of the limitations of Claim 1.

Neither Kim, McGarrah, nor McClellan independently or combined teach or disclose all of the limitations of Claim 1. Therefore Claim 1 is patentable. Claims 17 and 34 contain similar limitations as to Claim 1, and for at least the same reasons as stated for Claim 1, claims 17 and 34 are patentable.

Claim 12 depends from independent Claim 1, and is patentable for at least the same reasons as stated with respect to Claim 1 and other novel features contained therein.

Claim 31 depends from independent Claim 17, and is patentable for at least the same reasons as stated with respect to Claim 17 and other novel features contained therein.

Claim 44 depends from independent Claim 34, and is patentable for at least the same reasons as stated with respect to Claim 34 and other novel features contained therein.

Therefore, for at least the foregoing reasons Applicants respectfully request withdrawal of the rejection under 35 U.S.C. §103.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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By: /Donald C. Kordich/

Donald C. Kordich
Reg. No. 38,213

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502